MEETING OF THE COMMISSION OF FINE ARTS

24 October 1978

AM
10:00 CONVENE, 708 Jackson Place, N.W., Washington, D.C.

I. ADMINISTRATION

A. Minutes of September 1978 meeting.

B. Dates of next meetings: 28 November 1978
19 December 1978

C. Sixteenth Street Book Publication and Exhibit.

D. Rosslyn, Virginia; Heights Limits.
Scheduled Hearing, 28 October 1978.

E. Georgetown Waterfront Task Force, "Georgetown Waterfront Development Triangle," Draft Report.

F. D.C. Landmarks Legislation 2-367.
"Historic Landmarks and Historic District Protection Act of 1978."

II. SUBMISSIONS AND REVIEWS

A. National Capital Planning Commission, Modification No. 78-3 to the Comprehensive Plan for the National Capital (Pennsylvania Avenue Development Area between 13th Street and East Executive Drive, N.W.).

B. District of Columbia Department

1. Old Georgetown Act

a. O.G. 78-156, 3045 K Street, N.W., Landow & Co. Raze two story brick building, reconsideration of proposed replacement.

b. *O.G. 79-6, 1023 31st Street, N.W., T. Manousakis. New mixed-use building. Demolition of commercial structure.*

c. *O.G. 79-9, 10, 11, 1050 Thomas Jefferson Street, N.W., Premier Charter Corp. Revised designs to apartment portion of proposed mixed-use project. Demolition of 1039 and 1047 31st Street, N.W.*

d. *O.G. 78-153, 901 34th Street, N.W., Donohoe Construction Company Reconsideration of townhouse-midrise residential complex.*

e. *Historic Subdivision*

f. *Appendix 1.*

2. *Shipstead-Luce Act*

Appendix 2.

III. FREER GALLERY OF ART, inspection of recent acquisitions.

REPORT OF ACTIONS TAKEN ON THE OLD GEORGETOWN ACT

4 October 1978

NO.	ADDRESS AND OWNER	PROJECT
OG 78-156	3045 K Street, N.W. Georgetown Inland West Corp.	Raze brick building
ACTION:	Hold for full Commission meeting 24 October 1978.	
164	3035 Q Street, N.W. 3035 Q Street Associates	New windows, porch enclosure.
ACTION:	Hold for additional information.	
166	3601 O Street, N.W. Georgetown University	Erect townhouse.
ACTION:	No objection to concept of two new houses on this site. Recommend use of side wall windows on corner unit. Request additional drawings showing side elevation and showing both proposed new houses on O Street in relation to adjacent houses to the west. Recommend additional detail drawings at larger scale, showing trim and dormer detail. Show specific doorway proposals. Suggest elements such as garage opening trim, window sills, be indicated on elevation drawing. Recommended for design development, submit brick samples as ready.	
168	1408-26 36th Street, N.W. Georgetown University	Aluminum siding.
ACTION:	Issue permit. Recommend use of wood trim with new aluminum siding and removal of existing wood siding as part of installation.	
165	1645 31st Street, N.W. Alfred Friendly, Sr.	Carriage house.
ACTION:	Issue permit.	
H.S. 99	Square 1182, 3595 K Street, N.W. Papermill Associates	Proposed subdivision of part of original lots 4 & 5 in Square 1182 into one (1) record lot.
ACTION:	No objection.	

DRAFT

REPORT OF ACTIONS TAKEN ON THE OLD GEORGETOWN ACT

18 October 1978

NO.	ADDRESS AND OWNER	PROJECT
OG 79-7	1515 32nd Street, N.W. Episcopal Church Home	Episcopal Church Home retaining wall and fence.
ACTION:	Issue permit.	
8	3263 M Street, N.W. Shannon and Lucks	New door.
ACTION:	Hold for inspection.	
6	1023 31st Street, N.W. T. Manousakis	New mixed-use project. Rousos.
ACTION:	Hold for full Commission. No objection to overall approach provided building is reduced by approximately one floor. Recommend submission of a model prior to any approvals. Architect for this project and adjacent project known as 1050 Thomas Jefferson Street, N.W. may present a jointly prepared model indicating how both projects relate to 31st Street.	
9	1050 Thomas Jefferson Street, N.W. Premier Charter Corporation	Koubek mixed-use project.
ACTION:	Hold for full Commission. Height reduction of Scheme A is consistent with previous Commission of Fine Arts recommendations. Appearance of Scheme B, however, is preferred. Suggest further study with Scheme B one floor lower.	
RECONSIDERATION OG 78-153	901 34th Street, N.W., Lockman.	
ACTION:	Hold for full Commission. Recommend additional massing study. No objection to proposed height or size in context with adjacent development. Recommend study of west end of development to diminish impact of high building on adjacent parklands and vistas. Possibility of flanking at least a portion of 34th Street with townhouse structures should be considered. Recommend additional study on exterior treatment without mansard roofs with punched rather than stripped windows to be more in character with indigenious Georgetown architecture. Recommend row house configuration for townhouse units without zigzag setbacks. Recommend particular attention to keeping the roof of the townhouses clean and free from mechanical equipment because of their extraordinary visibility.	

REPORT OF ACTIONS TAKEN ON THE SHIPSTEAD-LUCE ACT

NO.	ADDRESS AND OWNER	PROJECT
S.L. - 79-1	500 1st Street, N.W. LBJ Restuarant, Inc.	Canopy
ACTION:	Do not issue permit. Off-center location of awning over-lapping part of column next to main building entrance is not recommended.	
79-2	2555 M Street, N.W. Abacus Realty	Canopy
ACTION:	Issue permit. Suggest that canopy have a slimmer profile and that the height above valance be 2 feet rather than 3 feet.	
79-3	3030 Klingle Road, N.W. Lois W. and Daniel D. Maxwell	To add redwood deck and screened porch to side and rear of residence.
ACTION:	Issue permit. Recommend screen planting to obscure underside and structure of deck.	

MINUTES OF THE MEETING OF THE COMMISSION OF FINE ARTS
24 October 1978

The meeting convened at 10 a.m. in the Commission of Fine Arts offices at 708 Jackson Place, N.W., Washington, D.C.

Members Present:	*Hon. J. Carter Brown, Chairman* *Hon. Philip W. Buchen* *Hon. Victorine du Pont Homsey* *Hon. Eli S. Jacobs* *Hon. Frederick D. Nichols* *Hon. Kevin Roche* *Hon. Edward D. Stone, Jr.*
Staff Present:	*Mr. Charles H. Atherton, Secretary* *Mr. Donald B. Myer, Assistant Secretary* *Mrs. Elizabeth Bemis* *Mrs. Sue A. Kohler* *Miss Barbara Tatge*
House District Committee Staff Present:	*Mr. Nelson Rimensnyder*
National Capital Planning Commission Staff Present:	*Mr. George Evans*

I. ADMINISTRATION

A. Minutes of September 1978 meeting, approved.

B. Dates of next meetings, approved as: 28 November 1978
19 December 1978

C. Sixteenth Street Book Publication and Exhibit. The Secretary told the members that the book is now at the printers, and that in conjunction with its publication he would like to have the Commission's authorization for an exhibition of approximately 60 of the illustrations. The mounted photographs could be used over again and circulated to schools and other institutions in the area. The cost would be not more than $2500. The exhibition would be held in the lobby of the headquarters of the American Institute of Architects and would run from 2-18 January 1979. The Chairman thought this an appropriate activity for the Commission, as did the other members, and the exhibition was approved.

EXHIBIT A

D. Rosslyn, Virginia; Height Limits. Scheduled Hearings, 28 October 1978. The Secretary reported that he would make a slide presentation at this meeting of the Arlington County Board to show the undesirable effect the proposed tall buildings (357-80 feet above the river) would have on the vista across the Potomac from the Washington Monument grounds, Lincoln Memorial and Rock Creek Parkway. He suggested

proposing that the height of the present Xerox Building (approximately 300 feet above the river) be considered a maximum, and the Commission agreed that this would be reasonable. He showed the members a selection of slides and told them that the Arlington County Board has not studied the visual impact these buildings will have. He will distribute a set of photographs of the Rossyln skyline to each board member with outlines of the new construction drawn in to make the impact more clear. Representatives from the National Park Service and the National Capital Planning Commission will also attend the meeting, and the Chairman thought it would be desirable to have someone from the General Services Administration attend also. It was his opinion that this is one of the most important issues to come before the Commission recently, and he thought that representatives from television and the press should be alerted so that the meeting would have maximum public exposure.

EXHIBIT B

E. Georgetown Waterfront Task Force, "Georgetown Waterfront Development Triangle," Draft Report. The Secretary asked the members to consider these design guidelines, drawn up by a task force consisting of representatives from the Commission of Fine Arts, Municipal Planning Office, National Capital Planning Commission, and National Park Service, and the Citizen's Association of Georgetown. The proposal is an option to Senator Mathias's waterfront bill which would allow only park land between the river and the canal, and to the Commission of Fine Arts proposal that K Street be the northern boundary for the park. The Assistant Secretary showed the members a map and noted that according to the task forces guidelines, the first 160 feet north of the river would be devoted to a park, leaving a triangular piece extending north to K Street for primarily residential development. Some swapping of land between the city and the private owners would insure an uninterrupted park along the river and give the developer some public land to the north for private use.

The majority of the development would be limited to 50 feet in height, falling to 30 feet along the park, but in the area between 30th and 31st Streets, adjacent to the freeway, some 60 foot construction would be permitted, thus masking the freeway. A public use structure, most likely a recreational facility, would be built by the District government near Wisconsin Avenue and the river.

The Assistant Secretary introduced Mr. David Condon, the new Georgetown Board member, who said the Board felt the triangular area created for development would be difficult to work with, and that the cluster type development specified in the report was not characteristic of Georgetown. He said the Board liked the idea of screening the freeway with relatively tall buildings.

Mr. Donald Shannon, representing ANC 3A, said he would prefer to limit the height to 35 feet above the 19 foot flood datum being used as the measuring point for the height of the new buildings. He was concerned that the view of the river from upper Georgetown would be cut off, as well as the view of the town from the river.

Mr. Grosvenor Chapman, representing the Citizens' Association of Georgetown, said that while the Association did not object to the basic concept of this compromise plan, it would prefer no buildings south of K Street. If there are to be buildings, certainly the measuring point should be lower--the height of K Street above the river (12 feet) or at the most, 16 feet. He, too, was concerned about the vistas down the Georgetown streets to the river, particulary 30th Street where the view is most important. He was also uncertain about having the whole triangle planned by one architect, thinking it preferable to break it up and to require a "limited palette" in design. He said that it is important that when viewing this area from the Kennedy Center even the new buildings look as though they were built during the early years of Georgetown, even though the details are modern. He stressed that the waterfront is part of the "National Capital facade," as much as the more monumental waterfront near the Lincoln Memorial.

Georgetown resident Mrs. Katherine Sullivan commented that she would still prefer only park land along the waterfront, and additionally, said that she could not see any point in screening the freeway with buildings on the river side.

The Chairman asked what action was required on this proposal. The Secretary replied that a letter would be in order, one stating the Commission's views. The Chairman asked for some clarification of the various heights and measuring points, and stressed that the important thing was not to obstruct the view from the heights down to the river, particularly from 30th Street. Mr. Nichols concurred. The Chairman was also in favor of keeping the percentage of commercial space as low as possible. Mr. Roche thought it was really impossible to make any sort of judgement without more information on how the heights and percentages were arrived at and without more detailed drawings, including sections. Mr. Stone agreed, and asked whether there was any possiblility of negotiating with the developer to insure that the park plans would be implemented first, lest the area be left to become just another parking lot in the future. The Secretary answered that this was a possibility, as was the transferral of the land to the Park Service, in which case development could begin right away.

In answer to a question from the Chairman regarding the urgency of the Commission's reply, the Secretary said it would probably be several months before any action was taken on the report and so he would try to get additional material for the members to consider at the next meeting. No further action was taken.

F. D.C. Landmarks Legislation 2-367. "Historic Landmarks and Historic District Protection Act of 1978." The Secretary reported that the City Council would take final action on this legislation at its meeting on 31 October. He said a letter had been sent to the Council outlining the Commission's objections to parts of the legislation but that none of the points raised received any consideration.

He noted that the Corporation Counsel, in disagreement with the Department of Justice, did not regard the possibility of local legislation superceding a Federal statute as a real danger in cases where the law provides for duplicate review. As this item was presented for information only, no action was taken.

EXHIBIT C

Before proceeding to the submissions and reviews, the Secretary reported on an additional item not on the agenda; a proposal before the City Council to allow advertising on the roofs of taxicabs. The Commission, consistent with its previous views regarding advertising on public vehicles, voted to transmit a negative response to this request.

II. SUBMISSIONS AND REVIEWS

A. National Capital Planning Commission

Modification No. 78-3 to the Comprehensive Plan for the National Capital (Pennsylvania Avenue Development Area between 13th Street and East Executive Drive, N.W.). The Assistant Secretary explained that this was just a formal submission of changes made in the comprehensive plan which the Commission has already approved. The changes were made to bring the plan into conformance with the PADC's plan, and include the new configuration for the Western Plaza, new curblines, etc. in Square 226. The changes were approved.

B. D.C. Department of Licenses, Investigations and Inspections

1. Old Georgetown Act

a. O.G. 78-156, 3045 K Street, N.W., Landow and Company. Raze Two Story Brick Building, Reconsideration of Proposed Replacement. The Assistant Secretary showed photographs of the building proposed for demolition and also a map of the Square, on which he located the project under consideration as well as two other projects on the agenda. The three new projects bring with them requests for the demolition of five older structures in the block. He reminded the members that they had reviewed this project at the previous meeting, and then showed drawings of the proposal for a design center, two new townhouses and a relocated alley, all of which had been disapproved on the basis of design and height of the main building. He reported that the Georgetown Board had reviewed the demolition request but had not seen the new design for the design center, now reduced in height from 90 to 60 feet. Commission staff member Sue Kohler told the members that part of the building proposed for demolition appears to date from 1807, when it was first listed in the tax book. Consisting of two small row houses in its early days, the structure was enlarged and remodeled sometime in the 1890's for use as a warehouse. While even the facade now appears to date from this remodeling, inspection of the interior showed that some walls of the early houses do remain. Mrs. Kohler said that the building is located in a very old part of Georgetown which was built up in the early years of the 19th century, and that only a few frag-

ments, such as this, are still standing.

The Chairman asked if the Landmarks Committee had to review this demolition request and was told that they had already done so and had requested a 180 day delay. Mr. Condon of the Georgetown Board said that he had looked at the old building and thought that anything of that age should be retained, at least the early part. He thought the new building could be built around it. He said that this was also the general opinion of the Board.

Mr. Landow, the developer, was then asked to discuss his design. He said that while the basic form had not changed and the ground floor "greenhouse" remained, the height had been lowered, all the residential section deleted and the building above the first floor brought forward 13 feet.

Mr. Grosvenor Chapman, representing the Citizens' Association of Georgetown, quoted the new historic preservation law now before the city council as stating that a building in a historic district must not be demolished unless its replacement has "public merit." Mr. Chapman said he did not see any public merit in this building, either from the point of view of design or use.

Mr. Nichols commented that the new design looked even more monumental than the previous one. The Chairman thought that the Commission should first focus on the structure already on the site. It was his feeling that in this early part of Georgetown, given the scarcity value of any remaining structures, it is important to keep what is existing. He noted that there is still a feeling of the old port in these remaining small buildings. The other members agreed that at least the early part of the structure should be kept, and the request for demolition was not approved. In regard to moving the alley, the Chairman thought that decision would depend on what action was taken on the project for the adjoining site.

b. O.G. 79-6, 1023 31st Street, N.W., T. Manousakis. New Mixed-Use Building; Demolition of Commercial Structure. The Assistant Secretary pointed out the location of this site on a model: it is just north of the preceding project and faces 31st Street. There are existing structures on the site consisting of garage with an old stable in the rear. The Assistant Secretary reminded the members that they had previously looked at a proposal for a Greek restaurant on the site, a project which would have incorporated the old structures but which is no longer being considered. Mrs. Kohler told the members that as a result of the very limited research she had done on the property, she had learned that there was a large brick house and outbuildings in this area as early as 1819. Very possibly the stable belonged to this group, although it would take more research to substantiate this. The Assistant Secretary said that the garage structure in front of the stable appeared to be of fairly recent vintage, and it was his suggestion that the Commission take the demolition request under

advisement until further research could be done. He then introduced Mr. William Russo, the architect, who discussed the building he has designed for the site. The drawings showed an arched entrance to the commercial space on the ground floor, setbacks on the upper office floors, and a penthouse devoted to residential units. Through the use of the setbacks and the height of the cornice line, Mr. Russo hopes to accommodate the building, visually, to the row of small townhouses to the north.

Mr. Condon said the Georgetown Board's reaction to this initial concept had been quite favorable, although reducing the height by one floor had been recommended. Mr. Chapman was pleased with the building because it gave some consideration to the neighborhood and the small townhouses adjacent to it. The Chairman had reservations about the relationship of this project to the other two large buildings to be erected in the square (the one just discussed and the other to the east on Thomas Jefferson Street), particularly where they came together at the alley in the center of the block. Mr. Stone expressed concern for the effect on the gardens behind the 31st Street townhouses.

Mr. Roche said that, contrary to what seemed to be the general opinion, he did not think the building was accommodating to the neighborhood at all--the arcades and the large windows were certainly not characteristic of Georgetown. He thought that a model would make the design problems apparent. The other members agreed that a model was necessary and that the design needed further study. It was not approved.

c. O.G. 79-9, 10, 11, 1050 Thomas Jefferson Street, N.W., Premier Charter Corporation. Revised Designs to Apartment Portion of Proposed Mixed-Use Projects. Demolition of 1039 and 1047 31st Street, N.W. Before introducing the architect, the Assistant Secretary spoke briefly about the two buildings on the site for which there is a demolition request. He said that both appear to have been built around 1930; one is a small concrete block building, the other a brick structure which has been used as a warehouse and a car wash. Mrs. Kohler said this dating is based on the configuration and material of structures on the site as shown on the real estate maps from 1900-31.

The Assistant Secretary then introduced the architect, Vlastimil Koubek. Mr. Koubek noted, first, that he had made several minor changes in the main building on Thomas Jefferson Street and then discussed the two schemes he was presenting for the apartment house. One scheme kept the same height as before but changed the configuration of the upper floors; the other lowered the building by one floor but kept the design basically the same.

Mr. Roche was concerned about the blankness and lack of interest in the south wall. He thought that even though there was a possibility that another large building might be erected next to it in the future, it was essential to open up the wall with more windows and provide some detail to give it visual interest. Mr. Condon reported that the Georgetown Board had seen only the first of the two schemes and had recommended that it be one floor lower.

The general consensus was that the change in design for the upper floors was a distinct improvement but that the building should also be lowered one floor. On this basis approval would be granted, pending the Georgetown Board's decision on the demolition requests.

d. O.G. 78-153, 901 34th Street, N.W., Donohoe Construction Company. Reconsideration of Townhouse-Midrise Residential Complex. The Assistant Secretary reviewed the Commission's previous objections to this project (the architectural style and the irregular "stepping" of the houses) and said that the architect had subsequently met with the Georgetown Board and afterward made a second design to be presented at this meeting. Mr. Condon expressed the Board's concerns about the first design, noting the crowding of the site, the height as viewed from the park to the northwest, and the "busy" quality of the configuration.

The architect, Alan Lockman, was introduced and discussed his new design. He commented on the difficulties inherent in the site--the steep grade, underground rock; PEPCO lines, etc., and said he was still not happy with the design of the houses which will face the freeway. In answer to a question, he said that the project consists of 33 townhouses and one rental building.

Mr. Roche was still not pleased with the stepping of the houses and thought they should simply follow the site--the lines of the streets or the canal to the north. He was not happy, either, with the attempt to accomodate the southern row of houses to the freeway columns. Mr. Lockman sought to explain the stepping by saying that it eased the interfacing problem with the garage construction below and was also more expressive of the single-family scale of other dwellings in Georgetown. The Commission, however, was not convinced and thought it gave the houses the appearance of a public housing project. The Chairman thought that if a historical reference was needed, it should be the 19th century industrial buildings which still occupy part of the waterfront. He expressed concern that there was an attempt to put too much on this site and thought that the whole project should be reviewed by the architect and the developer, from both the esthetic and economic points of view. The design was not approved.

e. Historic Subdivision, 3593 K Street, N.W. The Assistant Secretary pointed out this very small site on a map, explaining that it lies between K Street and the Whitehurst Freeway and is presently occupied by a pump house. He said that no definite plans have been projected, but

anything built there would have to be small and residential. The Secretary remarked that any construction would be detrimental to the landscaping of the south side of the C&O Canal and the gateway to the Georgetown waterfront. The Commission denied the request for subdivision.

f. Appendix 1, approved.

2. Shipsted-Luce Act

Appendix 2, approved.

III. FREER GALLERY OF ART

Inspection of Recent Acquisitions.

The meeting was adjourned at 12:30 p.m.

Signed

Charles H. Atherton

Charles H. Atherton, Secretary

CFA EXHIBIT PROPOSAL

The Commission of Fine Arts is sponsoring an exhibit designed to introduce its new publication, Sixteenth Street Architecture. In order to promote the book, the exhibit will offer a rich and diverse glimpse of its visual contents. For diplomatic and practical reasons, no attempt will be made to capitalize on any one building or to make qualitative statements on architecture. As a generalized introduction, the exhibit will be brief and exciting, in effect a stage for both mood and character. Viewed as a show, suitable "props" necessary to an entertainment will help establish a scenario for the Victorian and Beaux Arts eras.

The exhibit will be organized by subject, each category illustrated with from three to five views and drawings. A format suggestion would be to emphasize each subject by one 40 x 40 inch enlargement chosed for visual effect. As a means of identification, mounted captions will supply only the most basic information: category, present occupant, address, original owner, architect and date. No attempt will be made to compare the photographs. If arranged as a series of comparative statements, the illustrations themselves will define the seriousness and depth of the publication.*

** The subject categories might include:*

Floor Plans
Elevation Drawings
General Styles
Stair Halls
Reception Rooms
Courtyards and Patios
Doorways and Windows
Mantels
Lighting
Hardware
Sculpture
Stained Glass

EXHIBIT B

THE COMMISSION OF FINE ARTS

ESTABLISHED BY CONGRESS MAY 17, 1910

J. CARTER BROWN, Chairman

PHILIP W. BUCHEN
VICTORINE DU PONT HOMSEY
ELI S. JACOBS
FREDERICK D. NICHOLS
KEVIN ROCHE
EDWARD D. STONE, JR.

CHARLES H. ATHERTON, Secretary

708 JACKSON PLACE, N.W.
WASHINGTON, D.C. 20006
202-566-1066

Statement Before the Arlington County Board
On
Building Heights and the Skyline of Rosslyn

Mr. Chairman, members of the Board, good morning.

My name is Charles Atherton and I represent the Commission of Fine Arts. As a result of our concerns and those of other Federal Agencies, we are delighted to be here at your invitation to discuss the height of buildings and the Rossyln skyline, a matter which we feel is of critical importance to the beauty of our National Capital.

I know each of you is familiar with the arguments that have been made before this Board on previous occasions in opposition to increased building heights in Rosslyn. I can only say that we feel the changes to the skyline that are about to take place so alarming, and the potential for marring the appearance of Washington so great, that we feel there is a compelling need to repeat the arguments before you today.

With me is John Parsons of the National Park Service, Walter Kallaur of the General Services Administration, and David Childs, Chairman of the National Capital Planning Commission. Each of us would like to take a few minutes to discuss a particular aspect of the issue, and then we would be happy to answer any questions you might have and open up the discussion in general.

I will begin by showing a few slides to illustrate the existing conditions and to show the effects of the proposed buildings on the surrounding landscape if they are built.

For the purpose of this written statement, I will summarize the material to be presented, and as contained in the attached photo-copies of the slides.

The most favorable prospect of Rosslyn is seen from directly across the Potomac on the Georgetown Waterfront and the Key Bridge. Moving down the river to Rock Creek, the buildings of Rosslyn are still in view and form a sympathetic silhouette to the Arlington Ridge, with the tops of most buildings generally uniform and closely paralleling the natural contours of the site. In West Potomac Park, next to the Kennedy Center, the view is almost totally obscured by the natural growth of Roosevelt Island. Only the very tops of the highest buildings are barely visible. Not till one gets to the Watergate and the Lincoln Memorial is the entire view of Rosslyn again opened up. It is a view of a generally uniform skyline that corresponds to the natural contours of Arlington Ridge. It is here however, that the full impact of Prospect House is felt. Its mass rises abruptly above the tree line almost directly west of the Lincoln Memorial, and demonstrates all too well the enormous impact even a relatively modest deviation in height has on the skyline.

Moving across the Arlington Bridge and approaching Rosslyn from the south, the full effect of the existing large buildings can be felt.

The Xerox Building, at 200 feet high and at total height above the Potomac of 295 feet is by far the most prominent of the existing buildings and as such serves as a good bench mark to remaining structures to be built.

The Noland Building, which has its foundations currently under construction, is planned to reach 261 feet in height, and because of the topography, will attain a total elevation of 357 feet. This will result in a dramatic break with the existing skyline, but not so dramatic as the Twin Arland Towers Buildings to be constructed a short distance to the north, next to the much lower Arlington Tower Apartment complex. It is these two buildings which will project above the river a total of 380 feet, and be by far the tallest buildings in view. Not only will they tower over adjoining buildings and nearby parklands on the Virginia side and disrupt the existing building silhouette, they will be visible from nearly every direction, including prominent locations on the Mall, the Washington Monument grounds, the Lincoln Memorial and areas adjacent to the Kennedy Center Memorial where previously no buildings were visible at all. If the Arland Towers Buildings are constructed to their presently proposed height of 380 feet elevation, they will stick up above the existing tree line of Roosevelt Island and the profile of the Arlington Ridge and completely alter the entire western skyline that enframes the parkland and monuments of the monumental core of Washington. It would be a great loss to the beauty of the Capital.

Few cities, and fewer national capitals, have been developed with the care toward its design that Washington has since its founding nearly two hundred years ago. Part of this care has been the painstaking and continuing efforts to maintain the unique horizontal skyline of the city and its surrounding regions, thus preserving and enhancing the prominence of our great memorials and buildings which symbolize the nation.

It would be tragic indeed if we were to depart from the very qualities that form such a striking aspect of Washington's beauty, and to allow the intrusion of commercial towers to disrupt and scar the view of the city from this point on.

We implore you to call a halt to it all before it is too late. In our view, we believe the most sensible course is to return to the existing height standards that have provided the framework for most of Rosslyn's buildings to date.

Luckily the new Metro Line will prove an excellent opportunity to accomodate an abundance of convenient commercial space to the west, thus removing the considerable pressure to over develop Rosslyn beyond a reasonable capacity.

We hope the Arlington County Board will take this course and thus remove the possibility of permanently altering the appearance of the Capital to the detriment of all the citizens it serves.

EXHIBIT C

THE COMMISSION OF FINE ARTS

ESTABLISHED BY CONGRESS MAY 17, 1910

J. CARTER BROWN, Chairman
PHILIP W. BUCHEN
VICTORINE DU PONT HOMSEY
ELI S. JACOBS
FREDERICK D. NICHOLS
KEVIN ROCHE
EDWARD D. STONE, JR.
CHARLES H. ATHERTON, Secretary

708 JACKSON PLACE, N.W.
WASHINGTON, D.C. 20006
202-566-1066

20 October 1978

Dear Chairman Tucker:

I am writing in regard to the "Historic Landmarks and Historic District Protection Act of 1978" which is scheduled for first reading by the D. C. Council at its meeting on October 23, 1978.

The Commission of Fine Arts supports a strong preservation program for the District of Columbia, but we are concerned about certain sections of this legislation that will result in a duplication of architectural review and cause unnecessary delay and expense to citizens wishing to alter property or construct new buildings. As you know, both the Georgetown area and the Shipstead-Luce area of the city are already protected by two Federal statutes under the purview of the Commission. The legislation as currently written would subject all building applications in these two areas to review by an additional historic review agency performing exactly the same function as the Commission of Fine Arts, a procedure we feel is unneeded and wasteful.

It also poses serious legal complications where actions by separate agencies might result in conflicting actions and place the Mayor in a difficult position of having two differing sets of recommendations for the same project. I enclose a letter from the Department of Justice which discusses this problem in more detail.

It is our hope that the objections we raised during the Committee hearings be given further consideration, not only by the members of the Council, but by a larger segment of the community than has been represented at the hearings so far, since this legislation will have far reaching effects on the development of the city and the community at large.

...2/

I would again like to stress the Commission's enthusiastic support for a strong preservation program within the District of Columbia. To this end, we endorse the establishment of a Review Board strictly answerable to the elected government of the District, such as provided for in this legislation. Through this review board, the lines of authority between what are Federal interests and local interests should be clearly delineated, thus avoiding any overlapping authority which would result in administrative burdens on both the city and the private citizen.

In this view, we are joined by The Citizens Association of Georgetown, The American Institute of Architects, The Committee of 100 and others interested in the orderly development of the city.

We will be happy to meet with you or your staff and discuss this in greater detail.

With all best wishes,

Sincerely yours,

J. Carter Brown
Chairman

Sterling Tucker
Chairman
District Council
District Building
14th and E. Streets, N.W.
Washington, D.C.

Assistant Attorney General
Office of Legal Counsel

Department of Justice
Washington, D.C. 20530

2 OCT 1978

Mr. Charles H. Atherton
The Commission of Fine Arts
708 Jackson Place, N.W.
Washington, D.C. 20006

Dear Mr. Atherton:

This is with reference to your letters of August 29 and 30, 1978, requesting our views on certain provisions of District of Columbia Bill No. 2-367, "The Historic Landmark and Historic District Protection Act of 1978."

The bill would establish an Historic Preservation Review Board to review and make recommendations to the Mayor on applications for permits for demolitions, alterations or new construction in historic districts or historic landmark sites. Your specific questions relate to possible conflict between these provisions and the architectural review authority of the Commission of Fine Arts under the Shipstead-Luce and Old Georgetown Acts, 46 Stat. 366 (1930); 64 Stat. 903 (1950). Under those Acts, the Commission of Fine Arts furnishes the Mayor of the District of Columbia with its recommendations on plans for construction, alteration, or demolition of buildings in certain designated areas of the District of Columbia. Sections 5, 6 and 8 of the D.C. bill would permit (but not require) the Mayor to receive recommendations from the D.C. Historic Preservation Review Board on plans involving buildings in areas as to which the Mayor is required to secure his advice from the Commission of Fine Arts. It would require him to refer permit applications that are not subject to review by the Commission.

As we informally advised you by telephone, it is our view that the function of the Commission of Fine Arts of

advising the Mayor may not be diluted by District legislation that permits the Mayor to give consideration to recommendations of another body. Such legislation would, in effect, revise the procedure established by the Congress. To the extent that the functions of the D.C. Historic Preservation Review Board purport to overlap that of the Commission of Fine Arts, the authority of the Board would be superseded by the Federal statutes vesting review functions in the Commission in the same way that State legislation that conflicts with a Federal statute is superseded under the Supremacy Clause of the Constitution (Article VI).

One way to clarify Bill No. 2-367 would be to exclude from the definitions of "Historic District" and "Historic Landmark" in Section 3 those areas in which Congress has assigned architectural review functions to other bodies.

Sincerely,

Leon Ulman
Deputy Assistant Attorney General
Office of Legal Counsel

October 26, 1978

Dear Chairman Moore:

The Commission of Fine Arts asked me to respond to your October 19th letter concerning proposed Distfict of Columbia Bill 2-313, "The Taxicab Commercial Advertising Act of 1978." The Commission is indeed interested in the subject and accepts your kind invitation to attend the meeting on November 29.

In discussing this proposal the Commission recalls efforts to keep the city free and clear from billboards and other exterior advertising in public space which would detract from the appearance and beauty of the city to both resident and visitor alike. The Commission and the District Government have a long history of working together on this type of problem and we appreciate the opportunity to continue this relationship with respect to the various public issues involved.

Incidentally, I enclose for your information an article in today's Post regarding Metro advertising. As you can see, it is not an easy problem to determine standards of taste and acceptability.

Sincerely yours,

Charles H. Atherton

Charles H. Atherton
Secretary

Mr. Jerry A. Moore, Jr.
Chairman
Committee on Transportation
and Environmental Affairs
Council of the District of Columbia
District Building
14th and E Streets, N.W.
Washington, D.C. 20004